110TH CONGRESS 2D SESSION

H. R. 5928

To establish the Mark O. Hatfield Scholarship and Excellence in Tribal Governance Foundation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

April 30, 2008

Mr. Wu introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Mark O. Hatfield Scholarship and Excellence in Tribal Governance Foundation, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Mark O. Hatfield
- 5 Scholarship and Excellence in Tribal Governance Act of
- 6 2008".
- 7 SEC. 2. FINDINGS.
- 8 Congress finds that—

1	(1) Senator Mark O. Hatfield served the United
2	States with distinction and honor;
3	(2) Senator Hatfield has had a lasting impact
4	on the relationship between the United States and
5	Native Americans, restoring to Federal recognition
6	the Grand Ronde, Coquille, Cow Creek Band of
7	Umpqua Indians, Confederated Tribes of the Coos,
8	Lower Umpqua and Siuslaw Indians, and Confed-
9	erated Tribes of Siletz Indians;
10	(3) Senator Hatfield has been a champion of
11	the rights of Native Americans and Alaska Natives
12	and worked in Congress to strengthen tribal self-
13	governance; and
14	(4) it is a fitting tribute to the leadership, cour-
15	age, and bipartisan spirit that Senator Mark O.
16	Hatfield exemplifies to establish in his name pro-
17	grams to encourage excellence in tribal government.
18	SEC. 3. DEFINITIONS.
19	In this Act:
20	(1) Board.—The term "Board" means the
21	Board of Trustees of the Foundation.
22	(2) ELIGIBLE INDIVIDUAL.—The term "eligible
23	individual" means a citizen or national of the United
24	States or a permanent resident alien of the United
25	States.

1	(3) FOUNDATION.—The term "Foundation"
2	means the Mark O. Hatfield Scholarship and Excel-
3	lence in Tribal Governance Foundation established
4	by section 4(a).
5	(4) Institute.—The term "Institute" means
6	the Institute for Tribal Government at Portland
7	State University.
8	(5) Institute Policy Board.—The term "In-
9	stitute Policy Board" means the Institute Policy
10	Board for the Institute for Tribal Government at
11	Portland State University.
12	(6) Institution of Higher Education.—The
13	term "institution of higher education" has the
14	meaning given the term in section 101(a) of the
15	Higher Education Act of 1965 (20 U.S.C. 1001(a)).
16	(7) State.—The term "State" means—
17	(A) a State;
18	(B) the District of Columbia;
19	(C) American Samoa;
20	(D) the Commonwealth of the Northern
21	Mariana Islands;
22	(E) Guam;
23	(F) the Republic of the Marshall Islands;
24	(G) the Federal States of Micronesia;
25	(H) the Republic of Palau:

1	(I) the Commonwealth of Puerto Rico; and
2	(J) the United States Virgin Islands.
3	SEC. 4. ESTABLISHMENT OF THE MARK O. HATFIELD
4	SCHOLARSHIP AND EXCELLENCE IN TRIBAL
5	GOVERNANCE FOUNDATION.
6	(a) Establishment.—There is established as an
7	independent entity in the Executive branch the Mark O.
8	Hatfield Scholarship and Excellence in Tribal Governance
9	Foundation.
10	(b) Board of Trustees.—
11	(1) In general.—The Foundation shall be
12	subject to the supervision and direction of a Board
13	of Trustees.
14	(2) Membership.—The Board shall consist of
15	the Institute Policy Board.
16	(c) LOCATION OF FOUNDATION.—The Foundation
17	shall be located in Portland, Oregon.
18	(d) EXECUTIVE DIRECTOR.—
19	(1) In general.—There shall be an Executive
20	Director of the Foundation, who shall be appointed
21	by the Board.
22	(2) Duties.—The Executive Director—
23	(A) shall be the chief executive officer of
24	the Foundation; and

1	(B) shall carry out the functions of the	
2	Foundation, subject to the supervision and di-	
3	rection of the Board, and such other functions	
4	consistent with this Act as the Board shall pre-	
5	scribe.	
6	(3) Compensation.—The Executive Director	
7	may be compensated at the rate specified for an em-	
8	ployee in level IV of the Executive Schedule under	
9	section 5315 of title 5, United States Code.	
10	SEC. 5. PURPOSES.	
11	The purposes of the Foundation shall be—	
12	(1) to develop resources to properly train Na-	
13	tive American and Alaska Native tribal council mem-	
14	bers in self-government and related fields;	
15	(2) to foster among people in the United States	
16	greater recognition and understanding of the role of	
17	tribal self-government in the development of the	
18	United States;	
19	(3) to identify critical issues facing tribal gov-	
20	ernments;	
21	(4) to establish a program for tribal governance	
22	research at the Institute; and	
23	(5) to provide advectional outreed regarding	
	(5) to provide educational outreach regarding	

1 SEC. 6. AUTHORITY OF THE FOUNDATION.

2	(a) In General.—The Foundation, in consultation
3	with the Institute, may identify and conduct such pro-
4	grams, activities, and services as the Foundation considers
5	appropriate to carry out the purposes of the Foundation.
6	(b) Programs, Activities, and Services.—The
7	Foundation may, in accordance with this section—
8	(1) award scholarships, fellowships, internships,
9	and grants; and
10	(2) provide grants to the Institute to carry out
11	and manage other programs, activities, and services.
12	(c) National Competition.—The Foundation may
13	provide, directly or by contract, for the conduct of a na-
14	tional competition for the purpose of selecting recipients
15	of scholarships, fellowships, internships, and grants
16	awarded under this Act.
17	(d) Award of Scholarships, Fellowships, In-
18	TERNSHIPS, AND GRANTS.—
19	(1) In General.—The Foundation may award
20	scholarships, fellowships, internships, and grants to
21	eligible individuals who meet the minimum criteria
22	established by the Foundation, for study in fields re-
23	lating to tribal governance.
24	(2) Mark o. Hatfield scholars.—Recipients
25	of scholarships, fellowships, internships, and grants

1	under this Act shall be known as "Mark O. Hatfield
2	Scholars".
3	(e) Scholarships.—
4	(1) In general.—The Foundation may award
5	scholarships to outstanding—
6	(A) undergraduate students who intend to
7	pursue careers relating to tribal governance;
8	and
9	(B) Native American and Alaska Native
10	undergraduate students who intend to pursue
11	careers in tribal public policy.
12	(2) Payments.—An eligible individual awarded
13	a scholarship under this Act may receive payments
14	under this Act only during such periods as the
15	Foundation determines that the eligible individual—
16	(A) is maintaining satisfactory proficiency
17	and devoting full time to study or research; and
18	(B) is not engaging in gainful employment
19	other than employment approved by the Foun-
20	dation under regulations of the Board.
21	(3) Reports.—
22	(A) In general.—The Foundation may
23	require reports containing such information, in
24	such form, and to be filed at such times as the
25	Foundation determines to be necessary from

- any eligible individual awarded a scholarship
 under this Act.
 (B) CERTIFICATE.—Except as otherwise
 - (B) CERTIFICATE.—Except as otherwise provided under this subsection, a report under subparagraph (A) shall be accompanied by a certificate from an appropriate official at the institution of higher education, approved by the Foundation, stating that the individual is making satisfactory progress in, and is devoting essentially full time to, study or research.
- 11 (f) Fellowships.—The Foundation may award fel-12 lowships to—
- 13 (1) outstanding graduate students who intend 14 to pursue advanced degrees in fields relating to trib-15 al governance;
- 16 (2) outstanding Native American and Alaska
 17 Native graduate students who intend to pursue ad18 vanced degrees in tribal public policy, law, or medi19 cine; and
- (3) faculty from a variety of disciplines to bring
 the expertise of the faculty to the Foundation.
- (g) Internships.—The Foundation may award in-ternships to deserving and qualified—

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1	(1) individuals, for use in participating in in-
2	ternships in Federal, State, and local agencies or in
3	offices of major tribal governance organizations; and
4	(2) Native American and Alaska Native individ-
5	uals, for use in participating in internships in Fed-
6	eral, State, and local agencies or in offices of major
7	public health or public policy organizations.
8	(h) Grants.—The Foundation shall award grants to
9	the Institute—
10	(1) to provide for an annual panel of experts to
11	discuss contemporary tribal governance issues;
12	(2) to conduct tribal governance policy research;
13	(3) to conduct research on Native American
14	and Alaska Native tribal public policy issues; and
15	(4) to invite visiting policymakers to share prac-
16	tical experiences with the Foundation.
17	(i) Coordination.—The Foundation shall assist in
18	the development and implementation of a program for
19	tribal governance research to be located at the Institute.
20	(j) Program Priorities.—
21	(1) In General.—Subject to paragraph (2),
22	the Foundation shall determine—
23	(A) the priority of the programs to be car-
24	ried out under this Act; and

1	(B) the amount of funds to be allocated for
2	the programs.
3	(2) REQUIREMENTS.—Of amounts made avail-
4	able to carry out this section—
5	(A) not less than 50 percent shall be used
6	for the programs described in subsections (e)
7	(f), and (g);
8	(B) not less than 20 percent shall be made
9	available to the Institute to carry out sub-
10	sections (h) and (i), on the conditions that—
11	(i) a 25-percent matching share is
12	provided from other non-Federal sources
13	and
14	(ii) adequate space at the Institute is
15	made available by the Institute for the Ex-
16	ecutive Director and other appropriate
17	staff of the Foundation; and
18	(C) not more than 15 percent shall be used
19	for salaries and other administrative purposes.
20	SEC. 7. AUTHORIZATION OF APPROPRIATIONS.
21	There are authorized to be appropriated such sums
22	as are necessary to carry out this Act.

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